

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

RICHARD J. McCORD, AS CHAPTER 7  
TRUSTEE FOR THE BANKRUPTCY ESTATES  
OF USA UNITED FLEET, INC. *et al.*,

Plaintiff,

-against-

DIVISION 1181 AMALGAMATED TRANSIT  
UNION-NEW YORK EMPLOYEES PENSION  
FUND, and DIVISION 1181 AMALGAMATED  
TRANSIT UNION-NEW YORK WELFARE  
FUND,


Defendants.

STIPULATION AND NOTICE OF  
DISMISSAL WITH PREJUDICE

Case No. 11-cv-2140  
(NGG) (VMS)

Pursuant to Rule 41(a)(1)(a)(i) of the Federal Rules of Civil Procedure, Plaintiff, Richard J. McCord as Chapter 7 Trustee for the Bankruptcy Estates of USA United Fleet, Inc., USA United Transit Inc., USA United Bus Express, Inc., Tom Tom Escorts Only, Inc., Northeast Transit, Inc., Northeast Buses, Inc., and Northern Transit, Inc. (the "Chapter 7 Trustee"), Defendants and Counterclaim Plaintiffs Division 1181 A.T.U.-New York Employees Pension Fund and its Trustees and Division 1181 A.T.U.-New York Welfare Fund and its Trustees (collectively, the "Funds"), through the Funds' undersigned attorneys, and Dana Pristavec, William Moran, Dennis Scialpi, and Thomas Scialpi, the Individual Counterclaim Defendants/Cross-Claimants, by and through the Chapter 7 Trustee as assignee of the claims of Dana Pristavec, Dennis Scialpi, and William Moran, and as holder of a court approved settlement with Thomas Scialpi and his bankruptcy trustee authorizing this dismissal, hereby stipulate that all pending claims in this case between all parties be dismissed with prejudice with each party to bear its own costs and fees.


Dated: August 19, 2015




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Chapter 7 Trustee for the Bankruptcy Estates of USA United Fleet Inc., USA United Transit Inc., USA United Bus Express Inc., Tom Tom Escorts Only, Inc., Northeast Transit, Inc., Northeast Buses, Inc., and Northern Transit, Inc.; assignee of the claims of Dana Pristavec, Dennis Scialpi, and William Moran; and holder of bankruptcy court approved settlement agreement with Thomas Scaipi and his bankruptcy trustee authorizing dismissal of Thomas Scialpi's claims.

-and-



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Attorneys for Defendants-Counterclaimants  
Division 1181 A.T.U.-New York Employees  
Pension Fund and its Trustees and Division  
1181 A.T.U.-New York Welfare Fund and  
its Trustees.

SO ORDERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States District Judge

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